



# PLANNING COMMISSION SYNOPSIS

Thursday, March 10, 2016

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**CALL TO ORDER**

Chairperson Nordstrom called the Planning Commission meeting to order at 6:00 PM in the City Council Chambers of the Bloomington Civic Plaza.

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**COMMISSIONERS PRESENT:** Nordstrom, Willette, Spiess, Fischer, Bennett, Goodrum

**COMMISSIONERS ABSENT:** Batterson

**STAFF PRESENT:** Markegard, Farnham, Schmidt, Heyman, O'Day

Chairperson Nordstrom led the attendees in the reciting of *The Pledge of Allegiance*.

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**ITEM 1**  
6:03 p.m.

**CASE:** PL2016-12

**APPLICANT:** City of Bloomington

**LOCATION:** Citywide

**REQUEST:** City Code Amendments - Miscellaneous Issues Ordinance

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**PUBLIC HEARING DISCUSSION:**

Schmidt stated the purpose of the Miscellaneous Issues Ordinance is for clarifications, reference updates and enforcement aid. He provided a brief outline of the primary amendments.

Schmidt said the transient lodging change enhances the definition of transient lodging and strengthens the rental housing code prohibiting anyone from leasing, licensing or agreeing to allow use of a dwelling unit as transient lodging.

Schmidt said changes within the use table include the addition of licensed day care facilities within places of assembly, schools, colleges and universities as a conditional accessory use in residential districts, addition of colleges and universities as a conditional use in the Lindau Mixed-Use Zoning District, and addition of a dwelling unit for a hotel manager as an accessory use to a hotel in districts that permit hotels.

Schmidt said prior to 2008, a six foot privacy fence could be placed anywhere on a lot outside clear view triangles. After 2008, fence standards were amended to limit height and opacity in front yards and side/rear yards adjacent to a street. In 2015, the City Council approved two fence variances in side or rear yards adjacent to a street. The proposed change, which was recommended by the Planning Commission at its last study meeting, is to allow an 8 foot encroachment for a six foot tall privacy fence in side/rear yards adjacent to a street.

Schmidt said currently, the Code limits an accessory structure between the home and the street, including on through lots. The proposed change will permit accessory structures in the rear yard of through lots if the accessory structure meets the required setback for principal structures.

Schmidt said another proposed change requires that detached garages must be able to accommodate a code complying driveway in the future even if a driveway is not proposed.

Schmidt said additional changes that were recommended after the publication of Planning Commission public hearing include clarifying that definitions apply to both Chapters 19 and 21 and defining the term Issuing Authority as the City Manager or a designated representative in Chapter 22.

Schmidt said staff recommends an additional amendment after the packet distribution, which is described in the handout memo. The amendment clarifies the definition of sports training facility by removing lodging and distinguishing that competition is secondary to training.

Goodrum asked if there is ability to have the fence encroachment in both the side or rear yard adjacent to a street.

Schmidt stated that is correct. The example showed an encroachment in both the side and rear yards adjacent to a street but not within the front yard.

Goodrum asked how the front yard is determined.

Schmidt said the front yard is determined based on the principal structure setbacks.

The public hearing was closed via a motion.

Spieß believed the ordinance reflected the concerns and thanked staff for their hard work.

#### **ACTIONS OF THE COMMISSION:**

**M/Willette, S/Bennett:** To close the public hearing. Motion carried 6-0.

**M/Spiess, S/Willette:** In Case PL2016-12, I move to recommend that the City Council approve the Ordinance as attached to the staff report, the two additional amendments listed in the staff report and the additional amendment listed in the staff memo to amend Chapters 2, 10, 14, 15, 19, 21, and 22 of the City Code.

Motion carried 6-0.